

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

UNITED STATES OF AMERICA)
)
v.)
)
WALTER KEITH LOCKLEY) 18 U.S.C. § 1014
) 18 U.S.C. § 1343

No: 4:20-cr- 00004 LPR

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS
JAN 07 2020
JAMES W. MCCORMACK, CLERK
By: *[Signature]*
DEP CLERK

INDICTMENT

THE GRAND JURY CHARGES THAT:

COUNT 1

(False Statement on Loan and Credit Application)

A. **INTRODUCTION**

At all times material herein:

1. Simmons Bank was a financial institution insured by the Federal Deposit Insurance Corporation.

2. WALTER KEITH LOCKLEY conducted a farming operation through entities called Walter Lockley & Sons and Walter Lockley Partnership. To finance the farming operation, he obtained loans from Simmons Bank, and collateral for the loans included crops, farm products, and farm equipment.

B. **THE CHARGE**

On or about January 24, 2014, in the Eastern District of Arkansas, the defendant,

WALTER KEITH LOCKLEY,

knowingly made a false statement and willfully overvalued property and security for the purpose of influencing the action of Simmons Bank, in connection with an application for a loan in the amount of \$1,400,000, in that the defendant submitted a financial statement to Simmons Bank in which he misrepresented his assets; specifically, he claimed to be in possession of crops he had

already sold or pledged to sell, so that Simmons Bank would rely on that financial statement in making him a loan, when in truth and in fact, as the defendant well knew, the financial statement was false because he had already sold or pledged to sell part of the crop that was pledged as collateral on the Simmons loan.

All in violation of Title 18, United States Code, § 1014.

COUNT 2

(False Statement on Loan and Credit Application)

A. **INTRODUCTION**

The Grand Jury hereby incorporates Count 1, paragraph A, as if set forth word for word herein.

B. **THE CHARGE**

On or about February 26, 2015, in the Eastern District of Arkansas, the defendant,

WALTER KEITH LOCKLEY,

knowingly made a false statement and willfully overvalued property and security for the purpose of influencing the action of Simmons Bank, in connection with an application for a loan in the amount of \$1,540,000, in that the defendant submitted a financial statement to Simmons Bank in which he misrepresented his assets; specifically, he claimed to be in possession of crops he had already sold or pledged to sell, so that Simmons Bank would rely on that financial statement in making him a loan, when in truth and in fact, as the defendant well knew, the financial statement was false because he had already sold or pledged to sell part of the crop that was pledged as collateral on the Simmons loan.

All in violation of Title 18, United States Code, § 1014.

COUNT 3

(Wire Fraud)

A. INTRODUCTION

The Grand Jury hereby incorporates Count 1, paragraph A, as if set forth word for word herein.

B. THE CHARGE

From in or about February 2016, to in or about March 2016, in the Eastern District of Arkansas.

WALTER KEITH LOCKLEY,

with intent to defraud, voluntarily and intentionally devised and participated in a scheme to defraud Helena Chemical Company, and to obtain money and property by means of materially false and fraudulent pretenses, representations, and promises.

C. MANNER AND MEANS

1. It was part of the scheme and artifice to defraud that the defendant submitted financial statements to Helena Chemical Company in which he misrepresented his assets; specifically, he claimed to be in possession of crops he had already sold or pledged to sell, so that Helena Chemical would rely on those financial statements in extending a line of credit to the defendant.

2. In attempting to secure a 2016 line of credit from Helena Chemical Company, the defendant submitted a letter to Helena Chemical Company that purported to be but was not actually from Simmons Bank, confirming that Simmons Bank intended to provide a loan to the defendant. The letter was a forgery, and Simmons Bank did not intend to loan, nor did they loan, money to the defendant in the 2016 crop year as the forged letter claimed. As a result of the defendant's submission of this fraudulent letter, he caused this letter to be emailed to another Helena Chemical Company employee, who approved the defendant's line of credit.

D. THE WIRE

On or about the date set forth below, in the Eastern District of Arkansas, the defendant,

WALTER KEITH LOCKLEY,

with the intent to defraud, voluntarily and intentionally and for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below:

Count	Date	Description
3	March 25, 2016	Email of Letter to Helena Chemical Company

All in violation of Title 18, United States Code, § 1343.

(END OF TEXT. SIGNATURE PAGE ATTACHED.)